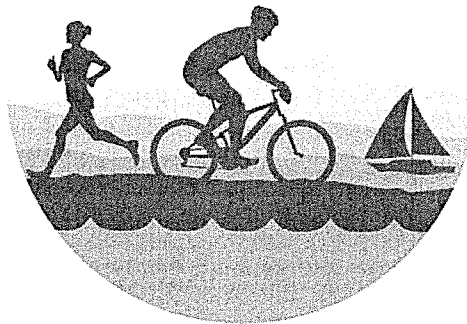


DEVELOPMENT REGULATIONS



Colchester

VERMONT

First Adopted 1955
Last Amended XXXX

- (b) on the effective date of the bylaw causing the nonconformity, each lot was developed with a potable water supply and wastewater disposal system, and
- (c) at the time of transfer, each water supply and wastewater system is functioning properly, and
- (d) the deeds of conveyance create appropriate easements on both lots for replacement of one or more wastewater systems, potable water supply, or both if applicable, in the event of a failed system or failed supply as defined in 10 V.S.A. Chapter 64.

2. For any lot shown on a plat approved by the Planning Commission and recorded in Colchester Land Records, the requirements of individual and separate and non-affiliated ownership shall not apply and the lots shall not be deemed merged.

F. Footprint Lots. A Footprint Lot as defined herein is not considered a lot for the above lot standard purposes.

2.05 Setbacks and Buffer

A. General Provisions. The size and dimensions of setbacks shall be as indicated in Table A-2, Dimensional Standards, unless otherwise provided in these Regulations.

B. Arterial and Collector Streets.

1. For the arterial and collector streets listed below, minimum front setbacks shall be forty-five (45) feet from the edge of the right-of-way or greater if so provided elsewhere in this Section 2.05.

ROAD / STREET

Route 2A (*a.k.a. Main Street*)

Route 2

Route 7 (*a.k.a. Ethan Allen Highway; South of Chimney Corners is Roosevelt Highway*) (outside of the GD3 District)

Route 15 (*a.k.a. College Parkway*)

East Road

Malletts Bay Avenue

Holy Cross Road

Severance Road (outside of the GD3 District)

Blakely Road (outside of the General Development Districts & Lakeshore Districts)

2. For the arterial streets listed below, the minimum front setbacks shall be seventy-five (75) feet from the edge of the right-of-way or greater if so provided elsewhere in this Section 2.05.

ROAD / STREET

I-89

1. Side and Rear Setbacks. A structure may encroach into the required side or rear setback up to a distance equal to 50% of the side or rear setback requirement of the district, but in no event shall a structure have a side setback of less than ten (10) feet unless a lawful existing encroachment exists. If there is a lawful existing encroachment a structure may be enlarged within the setback up to the existing point of encroachment. In no event shall the encroachment conflict with the required setbacks of Colchester Code of Ordinances Chapter Eight. The applicant shall prove that the proposed structure can not be reasonably constructed elsewhere on the lot so as not to encroach. The proposed structure shall be designed to minimize encroachment.

2. Front Setbacks. A structure may encroach into a required front setback, but in no event shall a structure have a front setback of less than twenty (20) feet unless a lawful existing encroachment exists. If there is a lawful existing encroachment a structure may be enlarged within the setback up to the existing point of encroachment. In no event shall the encroachment conflict with the required setbacks of Colchester Code of Ordinances Chapter Eight. The applicant shall prove that the proposed structure can not be reasonably constructed elsewhere on the lot so as not to encroach. The proposed structure shall be designed to minimize encroachment.

3. Processing of a Request. Any request under sections (1) - (3) above to expand an existing structure, or place a new structure may require the submission of survey data prepared by a licensed surveyor showing the location of affected property lines, existing and/or proposed structures, and any other information deemed necessary by the Administrative Officer.

K. Compliance with the Americans with Disabilities Act or Building & Fire Codes. An application to construct an access that complies with the Americans with Disabilities Act shall be exempt from required setbacks provided the applicant can demonstrate to the Administrative Officer that such access can not reasonably be constructed elsewhere on the lot to comply with setbacks. Access shall include, but not be limited to, ramps, elevators, lifts, grading and filling, impervious area, and other amenities required under the American with Disabilities Act. An application to construct a fire escape or other mean of emergency egress required by Chapters Four and Seven of the Colchester Code of Ordinances shall be exempt from required setbacks provided the applicant can demonstrate to the Administrative Officer that such access can not reasonably be constructed elsewhere on the lot to comply with setbacks.

L. Footprint Lots. A Footprint Lot as defined herein is not considered a lot for the above setback standard purposes.

2.06 Height of Structures

7. Play structures under 50 gross square feet such as but not limited to swings, slides, tree-houses, and sand boxes, and outside the Floodplain, Shoreland, & Watercourse Protection Districts.
8. Piers, docks, and other structures attached to the shore and extending beyond the mean water mark provided that such piers, docks, and other structures comply with all state and federal regulations pertaining to such encroachments and are not integrated with other structures herein regulated.
9. Fishing houses as defined in 10 VSA part 4 and appendix.

2.08 Multiple Structures

A. General Provisions. Except as otherwise provided specifically within these Development Regulations, there shall be only one principal building or structure on a lot. Multiple structures on a lot shall be subject to the requirements of Planned Unit Development in Article Nine.

2.09 Accessory Structures and Uses

A. Accessory Structures. Accessory buildings, except as otherwise permitted in the Regulation, shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a principal building, it shall be subject to and must conform to all requirements of this Regulation applicable to principal buildings.
- ~~2. The total square footage of all accessory structures shall not exceed fifty percent (50%) of the first or ground floor of the principal structures except where the parcel is greater than five acres in size this limitation may be removed with approval by the DRB through the conditional use process herein defined in Article 8.~~
3. The square footage of the first (ground) floor of the accessory structure(s) shall be included in the computation of lot coverage.
4. No detached accessory building shall be located closer than ten (10) ft. to any principal building.
5. No detached accessory building in any District shall exceed the heights specified in Table A-2.
6. Any accessory structure designed as a poolhouse shall be located no farther than fifteen (15) feet from the swimming pool to which it shall be accessory.
7. ~~Where the~~ *If an* accessory building *exceeds 50% of the ground floor of the principal structure on a greater than five acre parcel or if an*

accessory structure is to be located in the front yard *the following criteria shall be met* except as provided below:

- a. *Where the building is accessory to a residence*, the appearance of the accessory building shall be residential in nature. Exterior building details – including scale, fenestration, roof and siding materials, color and design – shall be compatible with the principal structure. The Administrative Officer may further require appropriate screening and landscaping around the accessory building to ensure compatibility with abutting residential properties.
 - b. The placement of more than one accessory structure within a front yard shall require approval by the DRB through the conditional use process herein defined in Article 8.
8. Portable Toilets are not permissible except as stated in Section 2.07E6 herein.

B. Accessory Uses.

1. Accessory Residential Units. An accessory apartment may be approved that is accessory to a conforming residential use in accordance with Title 24 VSA Section 4412 (1) (E) as amended from time to time. The following criteria shall be used when reviewing an application for a zoning permit:

- a. The owner shall occupy either the principal dwelling or the accessory apartment.
 - b. Only one accessory apartment may be permitted per parcel.
 - c. The accessory unit, whether located in the principal or an accessory structure, shall have the external appearance of a single-family residence. Exterior building details – including scale, fenestration, roof and siding materials, color and design – shall be compatible with the principal dwelling.
 - d. The unit shall contain no more than 2 bedrooms.
 - e. The apartment square footage shall not exceed 900 square feet in gross floor area or 30% of the gross floor area of the principal dwelling whichever is greater. Included in the calculation of gross floor area for an accessory apartment shall be any structure, attached or detached, principally used by the accessory apartment. Such structures shall include, but not be limited to, decks, porches, garages, lofts.
 - f. All applicable regulations for the provision of sewage disposal and water supply shall be met.
 - g. Adequate off-street parking shall be provided to include two parking spaces for the principal dwelling unit and one space per bedroom for the accessory apartment.
2. The outdoor storage or parking, storage or use of a travel trailer, tent trailer, pickup camper or coach, motorized dwelling, boat and boat trailer,

1. ***All substantially improved, reconstructed, or enlarged buildings shall be floodproofed.*** Floodproofed shall mean that the building or structure, excepting accessory structures, shall be raised so as to have the lowest horizontal member be one foot above base flood elevation by following FEMA compliant methods: piers, posts, columns, pilings, or foundation with flood gates. Floodproofing of accessory structures shall mean wet floodproofing utilizing FEMA compliant methods. Additionally floodproofed shall also mean that structures are made reasonably safe from floodproofing through the following methods:

- (a) anchoring in a FEMA compliant manner to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood;
- (b) use of methods and practices that minimize flood damage including the use of materials resistant to flood damage;
- (c) electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (d) adequate drainage paths around structures to guide floodwater around and away.

2. All proposals for floodproofed structures shall be submitted to the State Department of Environmental Conservation or duly delegated agency and have an as-built FEMA Elevation Certificate submitted to the Administrative Officer prior to the issuance of a Certificate of Occupancy.

3. Up to two inches of topsoil may be brought to a project site to re-establish ground cover and/or stabilize septic systems.

4. Summer seasonal items such as boats and other recreational items may be stored under floodproofed structures so long as the area is not completely enclosed and the area is screened by lattice or other mostly open screening to contain the items in the event of flood.

5. All appurtenances to a residential use, such as fuel tanks, shall be properly secured in accordance with FEMA standards.

6. Public utilities and tanks shall be placed underground and securely anchored so as to minimize flood damage.

7. The alteration or relocation of a watercourse is highly discouraged however if imminent threat to community services or personal property exist an application may be considered. The flood carrying and sediment transport capacity with an altered or relocated portion of any watercourse shall be maintained, and any alteration or relocation shall not result in any decrease of stream stability. Any applications for alterations or relocations of watercourses shall provide notice to the adjacent communities, the Stream Alteration Engineer and the NFIP Coordinator at the Vermont Agency of Natural Resources (ANR), and the Army Corps of Engineers. No permit may be issued until after receipt of comments from ANR or 30 days from the date of notification, whichever is sooner.

8. No structures shall be constructed or expanded in the floodway. No land development activities shall occur within the floodway or floodplain that increases the Base Flood level.

have adverse impact on shoreline stability and the character of the area. Removal of more than 25% of existing trees one inch caliper or greater shall require a survey of existing conditions including the size, location, condition and type of vegetation specifically indicating non-native invasive species versus native species. Phasing of tree removal is encouraged, including for non-native invasives, to allow for replanted trees to become established and assist with bank stability. Tree removal and replanting plans must take into account bank stability, stormwater runoff, and erosion control. The replanting plan shall be prepared by a licensed Landscape Architect, Arborist, or Environmental Ecologist and shall have at least a one-to-one replacement ratio for all trees over one inch caliper with native trees. A Landscape Improvement Agreement may be required to provide surety for the proposed plantings. Removal of dead trees or trees of immediate threat to human safety as well as reasonable pruning of existing trees is permitted.

3. The proposal for filling, grading or erection of any structure within 100 ft. inland of the mean water mark shall require site plan review and approval by the Development Review Board per Article Eight and Section 2.13. Specifically exempt from this requirement shall be those uses listed in Section 7.03C (4), (5), (8), and (10).

4. Requests for seawalls and similar structures under Section 7.03C(7) shall require site plan approval by the DRB as specified in Article Eight. In addition to the requirements of Section 7.03F, the DRB shall apply the following standards to the construction of seawalls and similar structures permitted under Section 7.03C(7):

- (a) The applicant shall prove the required need of said seawall or similar structure. Required needs include threat to personal property, excessive erosion, or imminent threat to water quality. Expansion of usable property shall not constitute need. All seawalls shall be constructed in a structurally sound manner fully complying with building codes in effect.
- (b) The seawall or similar structure shall be designed by a Professional Engineer or Landscape Architect. Exceptions may be made by the Board where Bio-Engineered solutions are proposed.
- (c) The seawall or similar structure shall, to the extent structurally feasible, follow the existing contour of the shoreline and be located along the toe of the slope minimizing backfill and land disturbance. The structure shall be scaled to meet the need and not larger than structurally required. The Shoreline Stabilization Handbook, as amended from time to time, shall be consulted for project design. Full design plans including a site plan with property boundary lines, contours including the 95 foot, 98 foot, and 102 foot elevations shall be submitted with the application including a scaled cross-section of the wall, descriptions of material to be used, a drainage plan, a construction access plan, and soil erosion / site stabilization plan. Existing conditions shall

be documented through site plans as well as photographs of the site from the waterbody.

(d) Visually massive structures are discouraged. The project design should mitigate the visual impact of the structure as viewed from the water. To this end, terracing, landscape plantings, and other aesthetic measures should be integrated into the structural solution.

(e) Whenever feasible, a coordinated solution to localized erosion problems should be taken amongst effected property owners.

(f) The Professional Engineer or Landscape Architect that designed the structure shall be present with the Administrative Officer or designee during an inspection of the structure when half completed. The same designer shall certify that the structure was built per the plan prior to the issuance of a certificate of occupancy for the project.

5. The review of any proposed construction of shore-based facilities shall consider the following:

(a) Will not adversely affect water quality or be a source of nuisance by reason of noise or fumes.

(b) Will not interfere with or prevent use of adjacent shoreland property or its access to and from the water.

(c) Will be compatible with adjacent land uses.

(d) That necessary and adequate sanitary public utilities and parking facilities are available or will be made available.

(e) Will not create an adverse vehicle traffic condition.

6. Stairs shall be no more than 48 inches in width with associated platforms being no more than 48 inches in width and 48 inches in length. All stairs shall have a handrail on at least one side. Flexibility will be exercised with regard to the rise and run of stairs permitted under this section to accommodate pedestrian access yet minimize visibility from the lake and preservation of natural features. Paths shall not exceed 48" in width.

7. All stairs and paths shall minimally disturb existing contours on the site and where possible follow existing contour lines. Stairs and paths shall make use of the natural vegetation and topography to blend with the shoreline. All stairs and paths shall be screened from the water body through the use of landscaping.

8. The Department of Water Resources and the U.S. Army Corps of Engineers may be requested to review, comment on, or approve all applications for construction below the 98 foot elevation prior to issuance of a building permit for said construction. The Development Review Board and the Department of Planning and Zoning may utilize the recommendations of the Department of Water Resources and the U.S. Army Corps of Engineers in its decision whether or not to issue a building permit for said construction.

ARTICLE 8: SITE PLAN AND CONDITIONAL USE REVIEW

8.01 General Purpose

8.02 Definition of Site Plan

8.03 Uses and Actions Subject to Site Plan Approval

8.04 Approval of Site Plans by Development Review Board

8.05 Application, Review, and Approval Procedure

8.06 General Review Standards

8.07 Specific Review Standards

8.08 Integration of Procedures

8.09 Administrative Review

8.10 Conditional Use Review: General Provisions and Standards

8.01 General Purpose

It is the purpose of this Article to regulate site development plans in order that adequate light, air, convenience of access, and safety from fire, flood, and other danger may be secured; that congestion in the public streets may be lessened or avoided; that the public health, safety, and general public welfare may be promoted; and that the preservation of historic landmarks, sites, districts, and buildings be promoted. The site plan review process and the conditional use review process will allow the Town of Colchester to review the arrangement, layout, use interrelationships and neighborhood impacts of sites intended for development or redevelopment and to ensure the aesthetic quality of such design to conform to the character of the neighborhood and the goals of the municipal plan. In reviewing site plans and conditional uses, appropriate conditions and safeguards may be imposed with respect to the adequacy of pedestrian and vehicular access, circulation, parking, landscaping and screening, and to encourage the conservation of energy.

8.02 Definition of Site Plan

As used in this Article, the term site plan shall mean a rendering, drawing, or sketch prepared to specifications contained in this article. The site plan shall show the arrangement, layout, and design of the proposed use of a single parcel or assembled parcels of land.

8.03 Uses and Actions Subject to Site Plan Approval

A. Site Plan Approval Required. Site plan approval shall be required prior to issuance of a building permit in all districts, except as provided in subsection B, for:

1. Any new use, change in use, or expansion of use in any district.
2. Uses subject to conditional use permit approval. See Section 8.10 below.
3. Any alteration or change to an approved site plan.
4. New parking lots or expansions of existing parking lots.

5. Any structure formerly used as a residence proposed for conversion to non-residential use.
6. Notwithstanding subdivision approval, any planned unit development that denotes building footprints, parking, circulation, and other related amenities. See Article 9, Planned Unit Development, for specific PUD regulations.
7. Seawalls, fill in excess of 100 cubic yards, and any other special circumstance specifically requiring site plan approval herein listed in the Development Regulations.
8. ***Accessory on-farm business.***

B. Excluded from Site Plan Review. Specifically excluded from the provisions of this article are:

1. One-family dwelling on a single lot, its accessory structures, and related features such as decks, pools, sheds, and detached garages.
2. Two-family dwelling on a single lot, its accessory structures, and related features such as decks, pools, sheds, and detached garages.
3. Agricultural and horticultural uses.
4. Forestry uses.
5. Repair and replacement of existing driveways, curb cuts, aprons, and sidewalks.
6. Repairs to existing swimming pools.
7. Fences and walls as provided in these Development Regulations.
8. Repair and replacement of interior amenities (such as carpeting) that are one hundred percent (100%) internal to an existing building or structure.
9. Exterior renovations to an existing building or structure that do not increase, alter or otherwise modify the outer envelope of said building or structure or in any way alter the building from its duly permitted Town approvals, except in Historic Preservation District (see Article 7).
10. Interior renovations to an existing building that do not increase or alter the use or otherwise increase parking needs, wastewater or water requirements, vehicle trip ends, or otherwise modify the use of the property so as to violate the previously approved site plan for the property. This shall include amendments to cumulative impact statements for the changing of tenants.

8.04 Approval of Site Plans by Development Review Board

A. Authority. Per 24 V.S.A Section 4416, the Development Review Board (DRB) shall have the authority to review and approve, approve with modifications, or disapprove site plans prepared to the specifications set forth in this Article, except as provided for administrative site plan reviews.

B. Review Period. Where site plan review by the DRB or Administrative Officer is required, the DRB or the Administrative Officer shall act to approve or disapprove any such site plans within the time required by 24 V.S.A. Section 4464. Failure to so act within said period shall be deemed approval. Copies of the DRB or Administrative

1. Maintaining contiguous tracts of open land with adjoining parcels;
2. Connections with and extend planned per the Official Map and existing road, sidewalk, path, and utility corridors;
3. Side lot lines shall generally form right angles to the road; and
4. Irregularly shaped lots shall not be created unless warranted by topography, surface waters, or to avoid fragmentation of significant natural or cultural features.

D. Building Envelopes. The Development Review Board may require the designation of building envelopes that limit the location of **buildings**, structures and parking areas to one or more portions of a subdivided lot. The size and shape of each building envelope shall be established in accordance with these regulations. The DRB may also require the identification of specific building footprints, if, in its judgment, such information is needed to determine conformance with these regulations.

E. Monuments and Lot Corner Markers. Permanent right-of-way monuments shall be set at all street intersections, and at all angles and curves or other critical points in street lines as will enable a land surveyor to correctly stake out any lot in the subdivision. Each monument shall be a precast concrete post four inches by four inches (4" x 4") at the top by forty-eight inches (48") long. The top shall have a center mark which shall be the point of reference. The monuments shall be set in place after all other street improvements are completed. Lot corner markers shall be set at corners and angle points of all lots, plots, or parcels, and located in the ground to finished grade.

F. Energy Conservation. In order to conserve energy, all subdivisions should use the least areas of roadway and the least length of sewer, water and utility lines within environmentally and economically sound limits. Buildings should be sited so as to take advantage of southeast, south, and southwest orientations where possible. Landscaping should be effectively used for providing wind barriers and reducing heat loss and heat gain. Cluster development (planned unit development) should be encouraged wherever feasible and in accordance with the Town Plan.

G. Water. The subdivider shall demonstrate to the satisfaction of the Development Review Board that adequate potable water exists on or off site to serve the proposed subdivision and:

1. The subdivider shall be responsible for installing water supply and/or distribution facilities in accordance with Chapter Eight of the Colchester Code of Ordinances, Chapter Fourteen of the Colchester Code of Ordinances (Public Works Standards), and standards of the Fire District or Water District having jurisdiction;
2. Where connection to a pre-existing water system is proposed, the subdivider shall provide evidence as to the adequacy of the system, and supporting legal documentation concerning access, available capacity, and water quality; and
3. Source protection areas shall be designated on final plat plans.

accordance with Table 9.07D(2)(a) excepting front yards. The buffer zone must be kept free of buildings and structures and must be landscaped, screened, or protected by natural features so that adverse effects on surrounding areas are minimized. All road and driveway connections shall be located so as to be outside the buffer, however a singular crossing for a road, driveway, or other utility access is allowed without the need for a PUD Buffer amendment. Multiple buffer crossings or other road/drive buffer reductions may be considered by the DRB under these standards. The presence of existing structures within a proposed PUD buffer does not count as an intrusion requiring the applicant request a modification of the buffer. Utility and Wastewater systems are considered intrusions into the buffer for which a modification must be requested.

Recreational paths and amenities as well as walls and fencing may be located within the buffer without counting as an intrusion.

9. A plan shall be submitted to the Development Review Board (DRB) with a preliminary subdivision plat application showing the location, height and space of buildings, open spaces and their landscaping, streets, driveways and off-street parking spaces and all other physical features accompanied by a statement setting forth the nature of all proposed modifications of the area and dimensional requirements of the applicable Development Regulations.

D. Specific Standards.

1. In a PUD the Development Review Board may, at its discretion, amend the requirements of the Dimensional Standards listed in Table A-2 provided the DRB determines that the request is in accordance with Table 9.7D(1)(a) below:

| Table 9.07D(1)(a) | |
|----------------------|---|
| Requirement | How should a request for alteration be evaluated? |
| PUD Buffer | The applicant should show the project meets the purpose of planned unit developments as stated herein on projects over three acres. |
| Lot Coverage | Lot coverage may be increased by up to an additional 20% if the additional impervious area is designed to retain 90 % of the one year storm or the first inch of rainfall through green infrastructure. |
| Public Road Frontage | For projects over three acres, the applicant should show that the project meets the purpose of planned unit developments as stated herein and that the project will result in the consolidation of curb cuts, sharing of access routes, and minimizing land disturbance. Frontage may be completely waived. |
| Lot Size | For projects over three acres, the applicant should show that the project meets the purpose of planned unit development as stated herein. Minimum lot size shall not be less than 10,000 sq. ft. <i>except for Footprint Lots as defined herein.</i> |

| | |
|-------------------------------------|---|
| Districts | landscaped with trees as a screen. |
| 10 + acres R5, R10, & AGR Districts | Up to 100 feet with no less than 50 feet landscaped with trees as a screen. |

3. Lot size and dimensional requirements:

~~a. Within any PUD not serviced by municipal sewer no lot shall be smaller than 10,000 sq. ft.~~

~~b. Within a PUD serviced by municipal sewer,~~ the DRB may waive the minimum lot sizes specified above **requirements** if the project is consistent with the Town's Municipal Plan and Chapters Seven and Eight of the Colchester Code of Ordinances.

b. A lot less than 10,000 sq. ft. shall only be allowed as a footprint lot as defined herein.

c. Footprint lots shall be adequately sized so as to contain a building and all expected appurtenances such as stairs, patios, egress windows, bulkheads, decks, HVAC units, etc.

d. A footprint lot may only bisect a building where there is a clear structural separation such as a fire wall as provided for in Chapter Four of the Colchester Code of Ordinances and the State of Vermont Fire & Building Safety Code, and which meets all applicable Town and State building code standards.

e. Footprint lots shall not extend more than two feet beyond the building.

4. Open Space. Open space or common land shall be set aside and made a part of any PUD subject to the below listed specific requirements:

a. The DRB shall require a portion of the development parcel to be designated as open space except for those properties under three acres or five units in size, or properties located within the GD3, COM, BD, and IND districts, as these districts are currently designated for dense commercial or mixed use. For projects 3-5 acres, up to 25% of the site may be required. For projects over 5 acres but less than 50 acres, a minimum of 25% of the site will be required to be open space. For sites over 50 acres, the DRB may reduce the required open space to less than 25% of the site but no less than 15% of the site.

b. Open space land may, at the discretion of the DRB, be utilized fully or partially as informal recreational areas. Active recreational amenities may be located on an open space lot but shall not count toward the required open space area. In GD Districts structured recreational areas such as parks are encouraged. In all other districts, the majority of the open space should be open and devoid of significant structural improvements.

c. In delineating proposed open space, applicants shall be guided by the Colchester Open Space Plan, as amended from time to time, the Municipal Plan, and the standards herein. Wherever feasible, the open space shall be contiguous to other open space on adjacent lots and

development and pedestrian access to the open space lot shall be provided for use by all lots or units within the development. No open space lot shall have a length to width ratio of greater than 4:1 or be less than 60 feet in width. Open space within a PUD buffer, not in common ownership, shall not count toward the open space area.

- d. Plans for development of recreational areas must be presented simultaneously with the presentation of all plans for development.
- e. Development of the open space will either be completed prior to the conveyance of lots, units, or dwelling units or an escrow or performance bond shall be posted with the Town to insure completion of the development of the open space within a period of time stipulated by the DRB.
- f. Open Space and Recreational Amenities should generally be placed on its own lot and shall always be collectively owned and accessible to the lot and/or unit owners of the project. The cost and responsibility of maintaining recreational amenities or open space shall be borne by a community association such as a homeowners' association. The applicant shall, at the time of preliminary plat application, provide draft legal documents for review and approval by the Town's Attorney providing for the upkeep of amenities or open space in perpetuity by a homeowners' association or similar association. Such mechanisms may include but shall not be limited to: dedication of development rights, conservation easements, homeowner's associations, and restrictive covenants or other appropriate grants or restrictions. Further subdivision of residual land shall be prohibited.
- g. Open space for purposes of protecting natural or archaeological resources or for agricultural or forestry purposes shall be given preference over open space preserved for purposes of recreational or other uses.

5. Recreational Amenities. Informal recreation amenities as defined by this ordinance shall be provided for projects resulting in five or more new units or lots, ~~or for projects on~~ *with* sites larger than 3 acres (except for non-residential projects). Any project involving 50 or more new units shall be required to provide an active recreational amenity as defined by this ordinance.

6. Varied types of dwellings (single, duplex, and multifamily) attached and detached are encouraged within a PUD. Varied yet complementary types of architectural style, construction, lot sizes, building material, and exterior colors are strongly encouraged. Identical replication of structures, textures and color is strongly discouraged.

7. Congregate Housing Density Bonuses. The DRB may grant density bonuses for PUDs which provide "Congregate Housing", as defined herein. Within these limits maximum density will be determined by the DRB after review of a density plan prepared by the applicant in accordance with other sections of this article. The density plan shall be based on single family units not duplexes. To qualify for the density bonus a development must meet the following criteria:

10.15 Change of Occupancy

A. General Provisions. For any change of occupancy, excluding residential units, a zoning permit shall be obtained prior to occupancy noting the use, number of employees, business, and designated contact for the business.

B. Multi-tenant Properties. For properties with more than one non-residential-occupancy, a cumulative impact statement shall be provided for a change of occupancy. The cumulative impact statement shall show the number of employees associate with the new occupancy, allocation of parking and vehicle trip ends amongst the occupancies, and anticipated water / wastewater flows for the occupancies as well as the uses, business names, and designated contacts for the occupancies.

Administrative Officer, shall serve as municipal officials and shall possess all the authority of a municipal official in the enforcement of said regulations.

11.03 Zoning Permits, Sign Permits, Water & Wastewater Permits, and Subdivisions Approvals.

A. Zoning Permit Required. No land development, accessory apartment, daycare facility, nursing care home, *non-residential change of occupancy*, home business or occupation may be commenced without a zoning permit issued by the Administrative Officer. No zoning permit may be issued by the Administrative Officer except in conformance with these regulations and the provisions of the Vermont Planning and Development Act. Any applicant for a zoning permit shall provide the Administrative Officer with any and all information the Administrative Officer deems necessary to ascertain compliance with these Development Regulations in digital format in accordance with Appendix G herein unless waived by the Director of Planning & Zoning. The land owner and, where applicable, building owner of the property shall sign the permit application or a letter of agency shall be submitted with the application demonstrating that the applicant may sign on the behalf of the owner(s). Such permit shall not be effective until the time for appeal has expired, or such appeal has been adjudicated, in accordance with the with 24 V.S.A. Section 4465.

B. Water & Wastewater Permit Required. No construction of a potable water supply or drilling may be commenced without a water & wastewater permit issued by the Wastewater Official. No water & wastewater permit may be issued by the Wastewater Official except in conformance with these regulations and the provisions of the Vermont Environmental Protection rules, otherwise known as the "Vermont Water Supply Rules" as amended from time to time. Any applicant for a water & wastewater permit shall provide the Wastewater Official with any and all information the Wastewater Official deems necessary to ascertain compliance with these regulations in digital format in accordance with Appendix G herein. The land owner and, where applicable, building owner of the property shall sign the permit application or a letter of agency shall be submitted with the application demonstrating that the applicant may sign on the behalf of the owner(s). Such permit shall not be effective until the time for appeal has expired, or such appeal has been adjudicated, in accordance with 24 V.S.A. Section 4465.

C. Sign Permit Required. It shall be unlawful for any person to erect, alter or relocate within the Town of Colchester any sign as defined in this Ordinance, without first obtaining a sign permit from the Administrative Officer in digital format in accordance with Appendix G herein. The land owner and, where applicable, building owner of the property shall sign the permit application or a letter of agency shall be submitted with the application demonstrating that the applicant may sign on the behalf of the owner(s). Any sign not expressly permitted by, or exempted from, the provisions of this Ordinance is prohibited. Permanent sign permits shall not be effective until the time for appeal has expired, or such appeal has been adjudicated, in accordance with the with 24 V.S.A. Section 4465.

18. "Used" includes the words intended, designed or arranged to be used or occupied, employed for, constructed for, altered for, converted for, rented for, leased for, maintained for, utilized for, or occupied for.

B. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either...or," the conjunction shall be interpreted as follows:

1. "And" indicates that all the connected items, conditions, provisions or events shall apply.
2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
3. "Either...or" indicates that the connected item, conditions, provisions, or events shall apply singly but not in combination.

C. References made to officials and official bodies shall mean officials and official bodies of the Town of Colchester, unless the natural construction of the wording indicates otherwise.

D. The word "regulation," "these regulations," "this ordinance," or "this bylaw" means the "Town of Colchester Development Regulations."

E. Any word or phrase which is defined in this section, or elsewhere in these regulations, shall have the meaning as so defined whenever the word or phrase is used in these regulations, unless such definition is expressly limited in its meaning or scope.

F. Any word or phrase that is not defined in this section, or elsewhere in these regulations, shall have its plain and commonly accepted meaning.

G. Definitions contained in Chapter 117, Vermont Statutes Annotated, shall be applicable throughout these regulations.

12.02 Specific Definitions

ACCESSORY APARTMENT: A residential apartment authorized by Title 24 VSA Section 4412(1) (E) constituting a second unit on a parcel having the external appearance of a single-family residence.

ACCESSORY BUILDING-OR-STRUCTURE: A *building* structure, the use of which is incidental to the principal use of the premise. *Freight containers shall not constitute an accessory building.*

ACCESSORY ON-FARM BUSINESS: *Shall be defined as in 24 V.S.A. Section 4412.*

ACCESSORY STRUCTURE: *A structure, the use of which is incidental to the principal use of the premise.*

ACTION SIGN: shall mean a sign or any portion thereof that moves, such as, rotating, revolving, moving up or down or any other type of action involving a change of position of the sign body or segment thereof, whether caused by mechanical or any other means.

ADDITION: An extension (enlargement) or increase in the area by extending on a side or by increasing in height the size of a building or structure.

ADMINISTRATIVE OFFICER: Zoning Administrator for the Town of Colchester.

ADJACENT: Either abutting or directly across the street.

ADULT ENTERTAINMENT: An establishment (such as a nightclub, bar, restaurant, supper club, lounge, live or movie theater, cabaret, bookstore, or other) in which a person or persons appear in a state of nudity in the performance of their duties or material is available depicting person or persons in a state of nudity as defined herein.

AGRICULTURAL OPERATIONS: Accepted agricultural practices, including the construction of farm structures, as defined by the Vermont Secretary of Agriculture, Food and Markets or the Commissioner of Forests, Parks and Recreation under 10 V.S.A. Sections 1021(f) and 1259(f) and 6 V.S.A Section 4810. Agricultural Operations shall include necessary accessory uses such as packing, treating, and storing the produce. The operation of any such accessory use shall be secondary to that of the normal agricultural activity. Agricultural Operations shall exclude Sivicultural Operations (see definition herein)

ALLEY: Any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

ALTERATION: Any change or rearrangement in the supporting members of an existing structure, such as bearing walls, columns, beams, girders, partition walls, or any enlargement to or diminution of a structure,. An alteration shall also be any change, rearrangement, or reconfiguration, of the roof or exterior walls. An alteration also shall be the moving of a building or structure from one location to another.

ANIMAL SHELTER: An establishment where animals are provided with shelter prior to placement with a new owner or prior to euthanasia, typically operated by a non-profit organization. Such establishment may allow sales or placement of the animals under care, and may conduct on-site euthanasia but shall not be allowed to permanently dispose of euthanized animals on-site. Such establishment may have an educational component as an accessory use. Outside amenities such as dog runs are customary with this use.

BED AND BREAKFAST: A dwelling unit, or portion thereof, with five or fewer guestrooms, where short-term lodging rooms and meals are provided for overnight guests. The operator of the bed and breakfast shall live on the premises. For the purposes of this definition, short-term shall mean up to one (1) week.

BEDROOM: Any room with a window and a closet, and which is physically separated from other rooms.

BERTH: A slip, mooring or space to accommodate a boat or vessel.

BILLBOARD: shall mean any structure bearing a sign which is not related to any business conducted on the property where the billboard is located.

BOARDING HOUSE: An establishment, other than a hotel, inn, motel, tourist court or lodging house, where not more than two (2) rooms are let and where meals may be regularly served by pre-arrangement for compensations. A boarding house is not open to transient guests, in contrast to hotels, restaurants and tourist homes, which are open to transients. The facility shall be licensed and operated in accordance with applicable law.

BUILDING: A structure designed to be used as a place of occupancy, storage or shelter.

BUILDING AREA: The portion of a lot remaining after required yards have been provided.

BUILDING COVERAGE: The part or percent of the lot occupied by buildings or structures including accessory buildings.

BUILDING ENVELOPE: The area delineated on an approved final plat plan of a project as meeting the approved minimum setbacks from lot lines, natural features, and any other restricted areas such as planned unit development buffers. All *principal buildings and structures*, including septic systems, shall occur within the building envelope.

BUILDING FOOTPRINT: The area delineated on an approved final plat plan of a project as where a specific structure shall be placed so as to be in conformance with minimum setbacks from lot lines, natural features, and any other restricted areas such as planned unit development buffers.

BUILDING HEIGHT: The vertical distance of a building measured from the average preconstruction grade level at the base of the building to the highest point of the roof. (See Figure II in Appendix B: General Provisions Diagrams)

BUILDING LINE: A line formed by the face of a building. (See diagram, Appendix B)

BUILDING, PRINCIPAL: The primary building on a lot or the building that houses the principal use.

COLISEUM: A structure designed to seat or accommodate more than 1,000 people for spectator sports, exhibitions, and cultural events.

COMMERCIAL GREENHOUSE (S): An establishment (retail and/or wholesale) comprised of enclosed glass or plastic structure(s) and sales outlet for the cultivation and sale of tender plants (such as flowers and vegetables). Commercial greenhouses with on-site sales shall have frontage along and primary access from a public road. Commercial greenhouse operations shall require a minimum lot size of five (5) acres.

COMMERCIAL VEHICLE: A vehicle used for business purposes including but not limited to a vehicle which carries goods, equipment or passengers for hire. Vehicles, which display advertising (other than identification of the vehicle's manufacturer, make or dealer), shall be considered commercial vehicles.

COMMUNITY CENTER: A government owned establishment or lot used for recreational, social, educational, and cultural activities that is open, partially or fully, to the public, including senior centers and teen-centers, schools and cultural facilities.

COMMUNITY SEPTIC: For the purposes of determining density and minimum lot size per Table A-2 herein, a community septic system shall be defined as a septic system that ~~is located on an undeveloped lot and that serves more than one dwelling unit.~~

CONDITIONAL USE: A use that is allowed in a particular district only after review and approval by the Development Review Board per 24 V.S.A. Sections 4414(3) and 4464 under Article Eight herein and subject to specific standards of the particular district.

CONGREGATE HOUSING: Detached or multi-family housing that provides facilities and services specifically designed to meet the physical or social needs of older persons. Significant facilities and services may include, but are not limited to, social and recreational programs, continuing education, information and counseling, recreational, homemaker, outside maintenance and referral services, emergency and preventative health care programs, elderly dining facilities and transportation to social services. Such housing shall be in an accessible physical environment. At least 80 percent of all occupied units must be occupied by persons aged 55 or older (the 80% requirement applies to occupants, not owners): and no person under 19 years of age shall reside in any unit for more than ninety (90) days in any calendar year, except that in the event of a person(s) under 19 years of age who is (are) disabled and is (are) dependent upon the qualified occupant (at least 55 years old), said dependent person shall be permitted to reside in the unit on a permanent basis.

CONSTRUCTION SIGN: shall mean any sign erected on a project site prior to or during a construction project.

FLOOD PLAIN: That land which would be subject to flooding by the 100 year flood or that flood which would have a 1% chance of occurring each year – Zone A on the Flood Boundary and Floodway Map.

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

FLOODWAY, REGULATORY IN THE TOWN OF COLCHESTER: See Floodway.

FLOOR AREA, GROSS: The gross area of all floors of all principal and accessory buildings on a lot, measured from the exterior face of the exterior walls, or in the case of a common wall separating two buildings, from the center line of such common walls. Gross floor area shall include such features as porches, balconies, breezeways, walkways, and raised platforms.

FOOTPRINT LOT: A lot created through the Planned Unit Development subdivision permit process that is generally designed to be contemporaneous with the footprint of a building or a portion of a building. A footprint lot is a form of ownership and conveyance but shall not be recognized for the purposes of zoning included but not limited to lot coverage maximums, setbacks, frontage, etc.

FRONTAGE: That boundary of a lot which abuts on a public street or way. The Interstate and Circumferential Highway rights-of-way and public waters shall not be considered frontage.

FLORESCENT COLORS: shall mean colors that reflect not only their own color, but also convert the shorter wave lengths into radiant energy causing them to appear 3 to 4 times as bright as ordinary color. These colors do not reflect light toward its source in the intense manner that reflectorized materials do, but rather in an amount similar to a white painted surface.

FREE-STANDING SIGN: shall mean a sign detached from any building.

FUNERAL HOME: An establishment for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation.

GARAGE, AUTOMOBILE PARKING: This use may be a structured parking garage or a parking lot that is publicly or privately operated. Parking shall be open to the general

outpatient facilities, and training facilities. Hospitals customarily include the retail sale of pharmaceuticals and medical supplies an accessory use.

HOTEL: An establishment in which (a) living or sleeping accommodations are primarily for transient occupancy on a daily basis for compensation available to the general public, and (b) one or more common entrances serve all such living or sleeping units. Hotel services may include twenty-four hour desk service, housekeeping, telephone, or bellhop service, or the furnishing or laundering of linens. Permitted accessory uses include restaurants or other public dining facility, bars or lounges, public banquet halls, ballrooms, meeting rooms, pools, and recreational facilities customary to such use.

HOTEL, EXTENDED STAY: A residential hotel containing small furnished apartment type units rented on a short term basis usually each with a kitchen, bath, living space and separate bedroom/sleeping space. Hotel services may include a common area, business support facilities, guest only breakfast facilities, lobby, or recreation space and amenities. Hotel services shall exclude public restaurant(s), cocktail lounge(s), or banquet meeting rooms containing more than fifty (50) seats. No more than fifteen percent (15%) of the units shall contain more than one bedroom. Units must be available on a daily, weekly and monthly basis and shall not be rented to the same occupant for more than one hundred eighty (180) days in any three hundred sixty-five (365) day period.

HOUSEHOLD: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. A household has common access to and use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

IMPERVIOUS SURFACE: A surface that has been compacted or covered with a layer of materials so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime rock, gravel, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

INCIDENTAL SIGN: shall mean a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "loading only", "telephone", or other similar directives. Incidental signs do not contain commercial messages. Traffic warning signs such as "Stop" or "Right Turn Only" or entrance signs such as "enter" or "exit" shall not be considered incidental.

INN: An establishment containing no more than 60 rooms *for living or sleeping accommodations primarily for transient occupancy for compensation available to the general public. For establishments greater than nine separate accommodations, of which* no more than 40% of the rooms may contain small furnished apartment type units rented on a short term basis usually each with a kitchen, bath, living space and separate bedroom. Units must be available on a daily, weekly and monthly basis and shall not be

rented to the same occupant for more than one hundred eighty (180) days in any three hundred sixty-five (365) day period. Inn services may include twenty-four hour desk service, housekeeping, telephone, or bellhop service, or the furnishing or laundering of linens. Permitted accessory uses include restaurants or other public dining facility, bars or lounges, meeting rooms, pools, and recreational facilities customary to such use.

JUNK MOTOR VEHICLE: A discarded, dismantled, wrecked, scrapped, inoperable, unregistered, or ruined automobile, equipment, marine vehicle, or recreational vehicle or parts thereof.

KENNEL: An establishment used for the breeding, training, sale, or boarding of more than four (4) dogs, cats, or other small domestic animals belonging to a person or persons other than the owner of the lot. Kennel use includes pet daycare but does not include a veterinary clinic or animal shelter or sale of general merchandise. Kennels customarily have outside amenities such as dog runs. A kennel shall follow State of Vermont protocol, licensing and all other applicable regulations.

LAND DEVELOPMENT: The division of a lot into two or more lots, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building, sign, or other structure; any of any mining, excavation, or landfill, and any change in the use of any building or structure, or land, or extension of the use of land. This includes the definition of Development herein.

LANDFILL, RECLAMATION: A lot previously used for disposal and depositing of refuse and earth or other suitable cover material. The lot may be adapted for alternative uses in accordance with all applicable Federal, State, or Municipal rules and regulations.

LANDFILL, SANITARY: A lot for solid waste disposal in which the solid waste is spread in thin layers, compacted to reduce its volume, and covered with earth at the end of each working day. The site shall be operated in accordance with all applicable Federal, State, or Municipal rules and regulations.

LANDSCAPE CONTRACTOR'S YARD: See CONTRACTOR'S YARD, LANDSCAPE

LAUNDROMAT: An establishment providing washing, drying, or dry-cleaning machines for the cleaning of clothing, linens, or fabric on the premises.

LEGISLATIVE BODY - Means the Selectboard of the Town of Colchester.

LIGHTING FIXTURE: A lighting fixture is an assemblage of ballast, lamp receptacles, wiring, reflectors, refractors, prisms, lenses, etc., all contained within a single housing or casing, and designed to be mounted as a single unit. A fixture may be designed to accept one or more lamps. One or more fixtures may be mounted to a single support.

unified entity. The shopping center may have one drive-up facility per center for retail, restaurant, or general services.

SHORELAND: A strip of land around Lake Champlain and Colchester Pond and adjacent to the Winooski and Lamoille Rivers extending inland to a line 500 ft. from and running parallel to the normal mean water mark herein called the shoreline.

SHORELINE: The line marked as the line by the mean water level with those lands adjacent to Lake Champlain, Colchester Pond, and the Winooski and Lamoille Rivers. Measurements required to be made from the shoreline shall be made from the mean watermark.

SIGN: shall mean and include every sign, billboard, bulletin-board, freestanding sign, wall sign, window sign, roof sign, illuminated sign and projecting sign, and shall include any letter, word, number, model, mural decoration, banner, flag, pennant, clock, thermometer, insignia, light or combination of lights or other visual display, used or placed as an announcement or declaration to identify, advertise or promote the interest of any person when the same is placed where it may be viewed by the general public from outside the structure on which the sign is placed.

SIGNABLE WALL AREA: shall mean the area of wall on the front or principal facade of the building. In the case of multiple occupancy buildings, only the front of the particular section of building occupied by the applicant shall be considered in determining signable wall area.

SILVICULTURAL OPERATIONS: The development and/or maintenance of a forest or wooded preserve, including the harvesting of trees. This definition is for the harvesting of more than 100 trees *3 inches or greater in diameter as measured 4.5 feet above the ground* and/or effecting more than one (1) acre in any one (1) year period. *Excluded from silvicultural operations is site development approved as part of a site plan or subdivision.*

SKETCH PLAN - An informal sketch of the proposed subdivision, the purpose of which is to enable the sub-divider to save time and expense in reaching general agreement with the Development Review Board as to the form of subdivision and objectives and requirements of these Regulations.

SLAUGHTER HOUSE: An establishment where animals are butchered.

SOCIAL CLUB: An establishment for the gathering or meeting of a group of people organized for a common purpose to pursue common goals, interests, or activities, usually for social, recreational, or educational purposes. Such association or organization is usually characterized by certain formal membership qualifications, payment of fees or dues, regular meetings, and a constitution and /or by-laws. Such associations or organizations may also be known as clubs, civic, social, fraternal organizations, trade

| GENERAL CATEGORIES | | | SPECIFIC USE | | | R3 | R2 | R1 | R5 | R10 | GD1 | GD1C | GD2 | GD4 | GD4C | LS1 | LS2 | COM | IND | BD | AGR | MHP | FP | AMU |
|--|--|--|--------------|----|----|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| 1.000 RESIDENTIAL | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.100 Single-Family Dwelling | 1.110 Detached, one dwelling unit per lot | 1.111 Site-built and modular structure | P | P | P | P | P | P | P | P | P | C | P | P | C | P | | | | | P | | | P |
| | | 1.112 Mobile home | P | P | P | P | P | P | P | P | C | P | P | C | P | | | | | | P | P | | P |
| | | 1.113 Occupant is directly engaged with on-premises commercial use | | | | | | P | P | C | P | P | C | P | P | | | | | | | | | |
| | 1.120 Detached, more than one dwelling per lot | 1.121 Site-built | P1 | P1 | P1 | P1 | P1 | P1 | P1 | C1 | P1 | P1 | C1 | P | | | | | | | P1 | | | P1 |
| | | 1.122 Mobile home park | | | | | | | | | | | | | | | | | | | | P1 | | |
| 1.200 Two-Family Dwelling | 1.210 Duplex | | | P | P | P | P | P | P | P | P | P | P | C | P | | | | | | P | | | P |
| | 1.220 Primary residence with accessory apartment | | | P | P | P | P | P | P | P | P | C | P | P | C | P | | | | | P | | | P |
| 1.300 Multi-Family Dwelling | 1.310 Multi-family residence | | | P1 | P1 | P1 | P1 | P1 | P1 | P1 | P1 | P1 | P1 | P1 | C1 | C | | | | | P1 | | | P1 |
| 1.400 Dwellings Emphasizing Special Services, Treatment or Supervision | 1.410 Residential Care Home | | | P | P | P | P | P | P | P | P | C | P | P | | | | | | | P | | | P |
| | 1.440 Halfway house | | | | | | | | | | | | | | | | | C | | | | | | |
| | 1.450 Congregate Housing | | | P1 | P1 | P1 | C | C | P1 | P1 | P1 | P1 | P1 | | | | | C1 | | | C | | | C |
| 1.500 Miscellaneous, Rooms for Rent Situations | 1.510 Boarding house | | | P | P | P | C | C | P | P | P | C | C | | | | | | | | C | | | C |
| | 1.520 Bed & Breakfast | | | P | P | P | P | P | P | P | P | P | P | C | P | | | | | | P | | | P |
| | 1.530 Hotel & Motel | | | | | | | | | | | C | C | C | | | C | C | | | | | | |
| | 1.540 Extended Stay Hotel | | | | | | | | | | | C | C | C | | | | C | | | | | | |
| | 1.550 Inn | | | | | | | | | | | | | | C | P | | | | | | | | |
| | 1.560 Campground | | | | | | | | C | | | | C | C | | | C | P | | | | | | |
| | 1.570 Primitive Campground | | | | | | | | | | | | | | | | | | | | C | | | C |
| 1.600 Temporary Emergency, Construction and Repair Residences | | | P | P | P | P | P | P | P | P | P | P | P | P | | | | P | P | P | P | P | | P |
| 1.700 Home Businesses | 1.710 Home occupations | | | P | P | P | P | P | P | P | P | P | P | P | C | P | | | | | P | C | | P |
| | 1.720 Home businesses | | | C | C | C | C | C | C | C | P | C | C | C | C | C | | | | | C | | | C |
| 1.800 Planned Residential Development | | | P | P | P | P | P | P | P | P | P | P | P | P | C | P | | | | | P | P | | P |

I = Subject to PUD Standards P=Permitted Use C=Conditional Use Blank =Not Allowed
Table of uses only.

For specific conditions and exceptions & GD3 District see text.

| GENERAL CATEGORIES | | SPECIFIC USE | R3 | R2 | R1 | R5 | R10 | GD1 | GD1C | GD2 | GD4 | GD4C | LS1 | LS2 | COM | IND | BD | AGR | MHP | FP | AMU |
|--|---------------------------------|--|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| 2.000 SALES AND RENTAL OF GOODS | | | | | | | | | | | | | | | | | | | | | |
| 2.100 General Sales | 2.110 Convenience store | 2.111 With gasoline sales | | | | | | | C | | | C | | | P | C | C | | | | |
| | | 2.112 Without gasoline sales | | | | | | P | P | P | P | P | | | P | | P | | | | |
| | 2.120 Shopping Center | 2.121 Without drive-up | | | | | | P | P | | P | P | | | P | | P | | | | |
| | | 2.122 With drive-up | | | | | | C | C | C | | | | | C | | C | | | | |
| | 2.130 Retail Sales | 2.131 With store area less than 10,000 s.f. without drive-up | | | | | | P | P | P | P | P | | P | P | | P | | | | |
| | | 2.132 With store area less than 10,000 s.f. with drive-up | | | | | | C | C | C | C | P | | | P | | P | | | | |
| | | 2.133 With store area more than 10,000 s.f. but less than 50,000 s.f. without drive-up | | | | | | | C | | | | | | P | | P | | | | |
| | | 2.134 With store area more than 10,000 s.f. but less than 50,000 s.f. with drive-up | | | | | | | C | | | | | | P | | P | | | | |
| | | 2.135 With store area greater than 50,000 s.f. without drive-up | | | | | | | | | | | | | P | | P | | | | |
| | | 2.136 With store area greater than 50,000 s.f. with drive-up | | | | | | | | | | | | | P | | P | | | | |
| | | 2.137 Retail sales with a significant component of goods sold being ag or produced on the premises | | | | | | P | P | P | P | P | | | P | | P | | | | P |
| | 2.140 Retail Food Establishment | 2.141 With store area less than 5,000 s.f. | | | | | | P | P | P | P | P | | P | P | | P | | | | |
| | | 2.142 With store area greater than 5,000 s.f. & supermarkets | | | | | | C | C | C | | C | | | P | | P | | | | |
| | 2.150 Wholesale Establishment | 2.151 With store area less than 10,000 s.f. | | | | | | C | C | C | C | C | | | P | P | P | | | | |

I = Subject to PUD Standards *P*=Permitted Use *C*=Conditional Use **Blank** =Not Allowed

Table of uses only.

For specific conditions and exceptions & GD3 District see text.

| GENERAL CATEGORIES | | SPECIFIC USE | R3 | R2 | R1 | R5 | R10 | GD1 | GD1C | GD2 | GD4 | GD4C | LS1 | LS2 | COM | IND | BD | AGR | MHP | FP | AMU |
|----------------------------------|---|---|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| | | 2.152 With store area more than 10,000 s.f. but less than 50,000 s.f. | | | | | | | C | | | | | | P | P | P | | | | |
| | | 2.152 With store area greater than 50,000 s.f. | | | | | | | | | | | | | P | P | P | | | | |
| | 2.170 Equipment sales with associated repair | 2.171 Small equipment | | | | | | | | C | | C | | | P | C | P | | | | |
| | | 2.172 Large equipment | | | | | | | | | | C | | | P | P | P | | | | |
| | 2.180 Commercial Greenhouse | No on-premises sales permitted | | | | P | P | P | P | P | P | P | | | P | | P | P | | | P |
| | | On-premises sales permitted | | | | P | P | P | P | C | P | P | | | P | | P | P | | | P |
| | 2.190 Roadside stands for the sale of produce grown on the premises | | | | | P | P | P | P | | | | | | | | | P | | | P |
| | 2.200 Mobile Home Sales & Rental | | | | | | | | | | | | | | C | C | C | | C | | |
| | 2.300 Marine Sales | 2.310 Without associated service & repair | | | | | | C | C | | | | | P | P | C | C | | | | |
| | | 2.320 With associated service & repair | | | | | | C | C | | | | | C | C | C | C | | | | |
| 2.400 Automobile Sales | 2.410 Without associated service & repair | | | | | | | | C | | | | | | C | C | C | | | | |
| | 2.420 With associated service & repair | | | | | | | | C | | | | | | C | C | C | | | | |
| 2.500 Automotive Accessory Sales | 2.510 Without installation | | | | | | | P | P | P | P | P | | | P | C | C | | | | |
| | 2.520 With installation | | | | | | | C | C | C | | C | | | P | C | C | | | | |
| 2.600 Rental | 2.6100 General Merchandise | | | | | | | C | C | C | P | P | | | P | P | P | | | | |
| | 2.620 Equipment | | | | | | | | | C | | C | | | P | P | P | | | | |
| | 2.630 Automobile | | | | | | | | C | | | | | | C | P | P | | | | |
| | 2.640 Marine | | | | | | | | | | | | P | P | | | | | | | |

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| GENERAL CATEGORIES | | SPECIFIC USE | R3 | R2 | R1 | R5 | R10 | GD1 | GD1C | GD2 | GD4 | GD4C | LS1 | LS2 | COM | IND | BD | AGR | MHP | FP | PAMU |
|------------------------------------|---------------------------------------|---|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|------|
| 3.000 OFFICE & SERVICES | | | | | | | | | | | | | | | | | | | | | |
| 3.100 Office | 3.110 General Office | | | | | | | P | P | P | P | P | | P | P | C | C | | | | |
| | 3.120 Research Facility or Laboratory | | | | | | | C | C | C | C | C | | C | P | P | P | | | | |
| | 3.130 Medical Office | 3.131 With not more than 10,000 square feet of gross floor area | | | | | | P | P | P | P | P | | C | P | | C | | | | |
| | | 3.132 With greater than 10,000 square feet of gross floor area | | | | | | C | C | P | C | C | | | P | | C | | | | |
| | | 3.133 With Clinic | | | | | | C | C | C | C | C | | | P | | C | | | | |
| 3.200 General Services | 3.210 Radio & Television Studio | | | | | | | P | P | P | P | P | | | P | P | P | | | | |
| | 3.220 Financial Institution | | | | | | | P | P | P | P | P | | C | P | C | C | | | | |
| | 3.230 Banks | 3.231 With drive-up windows | | | | | | C | C | C | C | P | | | P | | C | | | | |
| | | 3.232 Without drive-up windows | | | | | | P | P | P | P | P | | P | P | | C | | | | |
| | 3.240 Personal or Business Service | | | | | | | P | P | P | P | P | | P | P | | P | | | | |
| | 3.250 Artist Production Studio | | | | | C | C | P | P | P | P | P | C | P | P | C | P | C | | | C |
| | 3.260 Funeral home | | | | | | | P | P | P | P | P | | | P | | | | | | |
| | 3.270 Crematorium | | | | | | | | | | | | | | | C | | | | | |
| | 3.280 Drycleaner & Laundromat | 3.281 Majority of business is walk-in or self-serve | | | | | | C | C | P | P | P | | C | P | | C | | | | |
| | | 3.282 Majority of business is not walk-in | | | | | | C | C | | C | C | | | P | P | P | | | | |
| | 3.290 Animal Services | 3.291 Veterinary Clinic | | | | C | C | C | C | C | P | P | | C | P | | C | C | | | C |
| | | 3.292 Kennel | | | | P | P | | C | | C | C | | | P | C | C | P | | | P |
| | | 3.293 Grooming Facility | | | | C | C | C | C | C | P | P | | C | P | | C | C | | | C |
| | | 3.294 Animal Shelter | | | | C | C | | C | | C | C | | | P | | C | C | | | C |

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|---|--|--------------------------------|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|--|
| 3.300 Automotive Services | 3.310 Service & Repair | 3.311 Without body work | | | | | | | C | C | C | P | | | P | P | P | | | | | |
| | | 3.312 With body work | | | | | | | C | | | C | | | C | P | P | | | | | |
| | 3.320 Body Work | | | | | | | | C | | | C | | | C | P | P | | | | | |
| | 3.330 Car Wash | | | | | | | | C | | | C | | | P | C | C | | | | | |
| | 3.340 Gasoline Sales | 3.341 Without Service & Repair | | | | | | | C | | | C | | | P | C | C | | | | | |
| | | 3.342 With Service & Repair | | | | | | | | C | | | | | | P | C | C | | | | |
| 4.000 MANUFACTURING & PROCESSING, OF GOODS, MERCHANDISE AND EQUIPMENT | | | | | | | | | | | | | | | | | | | | | | |
| 4.100 All operations conducted entirely within fully enclosed building | 4.110 Printing & binding production facilities | | | | | | | | C | | C | P | | | P | P | P | | | | | |
| | 4.120 Photocopy & printing shop with accessory retail | | | | | | | C | C | C | C | P | | | P | | P | | | | | |
| | 4.130 Equipment repair | 4.131 Small equipment | | | | | | | | C | P | P | | C | P | P | P | | | | | |
| | | 4.132 Large equipment | | | | | | | | | | P | | | P | P | P | | | | | |
| | 4.140 Manufacturing & processing with related distribution & warehousing | | | | | | | | | C | C | C | C | | C | | P | P | | | | |
| | 4.150 Small-Scale Manufacturing | | | | | | | P | P | P | P | P | P | | P | P | P | P | | | | |
| 4.200 Operations conducted within & outside fully enclosed building | | | | | | | | | | | | | | | | | | | | | | |
| | 4.210 Lumber & contractor's yard | | | | | | | | C | | C | C | | | P | P | P | | | | | |
| | 4.220 Salvage yard | | | | | | | | | | | | | | | C | C | | | | | |
| | 4.230 Landscape contractor's yard | | | | | C | C | | C | | | | | | P | P | P | C | | | P | |
| 4.3 Slaughter House | | | | | | | | | | | | | | | | C | | | | | | |
| 5.000 EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES | | | | | | | | | | | | | | | | | | | | | | |

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|--|---|---|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| 5.100 Schools | 5.110 Elementary and secondary including associated grounds and athletic and other facilities | | C | C | C | C | C | P | P | P | P | P | | C | | | | C | | | C |
| | 5.120 Trade or vocational schools | | | | | | | P | P | P | P | P | | | P | P | P | | | | |
| | 5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.) | | | | | | | P | P | P | P | P | | | C | | C | | | | |
| 5.200 Religious Use such as churches, synagogues, and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings) | | | C | C | C | C | C | P | P | P | P | P | | P | P | | C | C | | | C |
| 5.300 Orphanage | | | | | | | | C | C | C | C | C | | | | | | | | | |
| 5.400 Cultural Facilities such as libraries, museums, art galleries, art centers and similar uses | 5.410 Located within a building having a gross floor area not exceeding 500 square feet | | P | P | P | P | P | P | P | P | P | P | | P | P | | C | | | | C |
| | 5.420 Within a building having a gross floor area exceeding 500 square feet | | C | C | C | C | C | P | P | P | P | P | | P | P | | C | | | | C |
| 5.500 Social clubs such as, union halls, fraternal clubs and lodges | | | | | | | | C | C | C | P | P | C | P | P | | C | | | | |
| 6.000 RECREATION & ENTERTAINMENT | | | | | | | | | | | | | | | | | | | | | |
| 6.100 Activity conducted entirely within building or substantial structure | 6.110 Athletic facility | | | | | | | P | P | P | P | P | P | P | P | C | P | | | | |
| | 6.120 Movie theaters | 6.121 Seating capacity of not more than 300 | | | | | | P | P | P | P | P | | C | P | | C | | | | |
| | | 6.122 Seating capacity of more than 300 | | | | | | C | C | C | C | C | | | P | | C | | | | |
| | 6.130 Theaters & Music Halls | 6.131 Seating capacity of not more than 300 | | | | | | C | C | C | C | C | | C | P | | C | | | | |
| | | 6.132 Seating capacity of more than 300 | | | | | | | C | C | C | C | | | P | | C | | | | |
| | 6.140 Adult Entertainment | | | | | | | | | | | | | | C | | | | | | |
| | 6.150 Event Facility | | | | | | | P | P | P | P | P | C | P | P | | P | C | | | C |
| 6.200 Activity conducted primarily outside enclosed | 6.160 Indoor Firing Range | | | | | C | | | C | C | C | C | | | C | C | C | C | | | C |
| | 6.210 Recreational facilities –privately owned facilities such as golf and country clubs, etc. | | | | | C | C | C | C | C | P | P | P | P | P | | C | C | | C | C |

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|---|---|---------------------------------------|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| buildings or structures | 6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc. | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | C | | C | C |
| | 6.230 Stables and arenas for horses | | | | | P | P | C | C | C | P | P | | | | | | P | | | P |
| | 6.240 Racing tracks - automobile and motorcycle | | | | | | | | | | | | | | | C | | | | | |
| | 6.250 Open air markets, farm and craft markets,, produce markets | | | | | C | C | P | P | P | P | P | P | P | P | | C | P | | | P |
| | 6.260 Drive-in movie theaters | | | | | | | C | C | | C | C | | | P | | | | | | |
| | 6.270 Water-based facilities | 6.271 Marinas and yacht clubs | | | | C | C | C | C | | C | C | P | C | P | | | | | | |
| | | 6.272 Residential Marine Associations | C | C | C | C | C | C | C | | | | P | P | | | | | | | |
| | 6.280 Outdoor Firing Range | | | | | C | C | | | | C | | | | | | | C | | | C |
| 6.300 Coliseums, stadiums and all other facilities listed in the 6.100 & 6.200 classifications designed to seat or accommodate more than 1,000 people | | | | | | | | | | | C | C | | | P | C | C | | | | |
| 7.000 INSTITUTIONAL RESIDENCE, CARE, OR CONFINEMENT FACILITIES | | | | | | | | | | | | | | | | | | | | | |
| 7.100 Hospital | | | | | | | | C | C | P | C | C | | | P | | | | | | |
| 7.200 Nursing Care Home | | | P | P | P | P | P | P | P | | P | P | | | | | | P | | | P |
| 7.300 Nursing care institution | | | | | | | | C | C | P | P | P | | | C | | | | | | |
| 7.400 Mental Health Facility (other than halfway houses) | | | | | | | | C | C | C | | | | | C | | | | | | |
| 7.500 Correctional facilities | | | | | | | | | | | | | | | | C | | | | | |
| 7.600 Home-based day care facilities up to six children | | | P | P | P | P | P | P | P | P | P | P | C | P | | | | P | P | | P |
| 7.700 Intermediate day care facilities | | | P | P | P | P | P | P | P | P | P | P | | P | C | C | C | P | C | | P |
| 7.800 Large day care facilities | | | C | C | C | C | C | P | P | P | P | P | | C | C | C | C | C | C | | C |

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|---|---|--------------------------------|--------------|--|--|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| 7.900 Hospice Care Home | | | | | | | | | C | C | P | P | P | P | P | | | P | C | P | C | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | |
| 8.000 RESTAURANTS, BARS, NIGHT CLUBS | | | | | | | | | | | | | | | | | | | | | | | | |
| 8.100 Restaurants | 8.110 Standard | 8.111 With outdoor seating | | | | | | | | P | P | P | P | P | P | C | P | P | | C | | | | |
| | | 8.112 Without outdoor seating | | | | | | | | P | P | P | P | P | P | C | C | P | | C | | | | |
| | 8.120 Short-Order | 8.121 No drive-up service | | | | | | | | C | C | C | C | P | | | C | P | C | C | | | | |
| | | 8.122 With outdoor seating | | | | | | | | C | C | C | C | P | | | | P | C | C | | | | |
| | | 8.123 Drive-up service allowed | | | | | | | | | C | | | | C | | | | C | | C | | | |
| 8.200 Bars | | | | | | | | | | C | C | C | C | C | C | C | C | C | | | | | | |
| 8.300 Night Clubs | | | | | | | | | | | C | | | | C | C | C | C | | | | | | |
| 8.400 Mobile Food Units | | | | | | | | | | C | C | C | C | C | | | C | C | C | C | | | | P |
| 9.000 STORAGE AND PARKING | | | | | | | | | | | | | | | | | | | | | | | | |
| 9.100 Automobile parking garages or parking lots not located on a lot on which there is another principle use to which the parking is related | | | | | | | | | | C | C | C | C | C | | | C | P | P | P | | | | |
| 9.200 Storage of goods not related to the sale or use of those goods on the same lot where they are stored | 9.210 Warehousing with all storage within completely enclosed structures | | | | | | | | | | | | | | | | | C | P | P | | | | P |
| | 9.220 Mini-storage with all storage within completely enclosed structures | | | | | | | | | | C | | | | | | | C | C | C | | | | |
| | 9.230 Archival Facility | | | | | | | | | | C | | | C | | | | P | P | P | | | | |
| | 9.240 Distribution Facility | | | | | | | | | | | | | C | C | | | P | P | P | | | | P |
| | 9.250 Auto, marine, or equipment storage outside completely enclosed structures | | | | | | | | | | C | | | | C | | | C | P | P | P | | | |
| 9.260 Marine storage inside | | | | | | | | | | | | | | | | C | C | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | |

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|---|---|--------------|----|----|----------|----------|----------|----------|------|-----|----------|------|-----|-----|-----|-----|----|----------|-----|----|----------|
| 10.000 AGRICULTURAL, SILVICULTURAL, MINING, QUARRYING OPERATIONS | | | | | | | | | | | | | | | | | | | | | |
| 10.100 Agricultural operations | 10.110 Excluding livestock | | | | P | P | P | P | | | P | P | | | | | | P | | C | P |
| | 10.120 Including livestock | | | | P | P | C | C | | | P | P | | | | | | P | | C | P |
| 10.200 Silvicultural operations | | | C | C | C | P | P | P | P | C | P | P | | | P | P | P | P | C | C | P |
| 10.300 Mining operations | | | | | | C | C | | | | | | | | C | P | | C | | C | C |
| 10.400 Reclamation landfill | | | | | | | | | | | | | | | | P | C | | | | |
| 10.500 Accessory on-farm business | | | | | P | P | P | P | | | P | | | | | | | P | | | P |
| 11.000 MISCELLANEOUS PUBLIC AND SEMI-PUBLIC FACILITIES | | | | | | | | | | | | | | | | | | | | | |
| 11.100 Cemetery | | | P | P | P | P | P | P | P | P | P | P | | C | C | | | C | | | C |
| 11.200 Waste Processing | 11.210 Sanitary Landfill | | | | | | | | | | | | | | | C | | | | | |
| | 11.220 Transfer Station | | | | | | | | | | | | | | | C | C | | | | |
| 11.300 Transit Centers | 11.310 Train Station | | | | | | | P | P | P | P | P | | | P | P | | | | | |
| | 11.320 Train Yard | | | | | | | | | | | | | | | C | | | | | |
| | 11.330 Bus Station | | | | | | | C | C | C | C | C | | | P | P | P | | | | |
| 11.400 Public Garage | 11.410 Local | | | | | | | C | C | | | C | | | C | P | P | | | | |
| | 11.420 State | | | | | | | | | C | | C | | | C | P | P | | | | |
| 11.500 Municipal Services | 11.510 Town Hall | | C | C | C | C | C | P | P | P | P | P | | | P | | C | | | | |
| | 11.520 Community Center | | C | C | C | C | C | P | P | P | P | P | P | P | P | | C | C | | | C |
| | 11.530 Police stations | | C | C | C | C | C | P | P | P | P | P | | | P | C | C | C | | | C |
| | 11.540 Fire stations | | C | C | C | C | C | P | P | P | P | P | | | P | C | C | C | | | C |
| | 11.550 Rescue squad, ambulance services | | C | C | C | C | C | P | P | P | P | P | | | P | C | C | C | | | C |
| 11.600 National guard center | | | | | | | | C | C | C | | C | | | C | P | C | | | | |
| 11.700 Civil defense operations | | | | | | | | C | C | C | | | | | | C | C | | | | |
| 11.800 Post Office | | | | | | | | P | P | P | P | P | | | P | P | P | | | | |
| 11.900 Essential Service Facility | 11.910 Neighborhood | | P | P | P | P | P | P | P | P | P | P | C | C | P | P | P | P | P | C | P |

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|---|--------------------------------|--------------|----|----|----|----|-----|-----|------|-----|-----|------|-----|-----|-----|-----|----|-----|-----|----|-----|
| | 11.920 Community or regional | | C | C | C | P | P | C | C | C | C | C | C | C | P | P | P | P | | C | P |
| 12.000 TOWERS AND RELATED STRUCTURES | | | | | | | | | | | | | | | | | | | | | |
| 12.100 Tower | 12.110 Less than 50 feet tall | | C | C | C | P | P | P | P | P | P | P | | | P | P | P | P | C | | P |
| | 12.120 50 feet tall or greater | | C | C | C | C | C | C | C | C | C | C | | | P | P | P | C | C | | C |
| | 12.130 Wind Turbine | | C | C | C | C | C | | | | C | | | | C | C | C | C | | | C |
| 13.000 TEMPORARY STRUCTURES USED IN CONNECTION WITH THE CONSTRUCTION OF A PERMANENT BUILDING OR FOR SOME NON-RECURRING PURPOSE | | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | P |
| 14.000 PLANNED UNIT DEVELOPMENT | | | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | P |

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| District | Density | Minimum Lot Size | Frontage | Primary Front Yard Setback | Primary Side Yard Setback | Primary Rear Yard Setback | Acc. Front Yard Setback | Acc. Side Yard Setback | Acc. Rear Yard Setback | Total Lot Coverage Max | Primary Building Height Max | Acc. Building Height Max |
|--------------|-------------------------|------------------|------------------|----------------------------|---------------------------|---------------------------|-------------------------|------------------------|------------------------|-----------------------------|--|--|
| R3 Class I | 1 DU/10,000 sf | 10,000 sf | 1 du./100 feet | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R3 Class II | 1 DU/15,000 sf | 15,000 sf | 1 du./100 feet | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R2 Class I | 1 DU/15,000 sf | 15,000 sf | 1 du./125 feet | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R2 Class II | 1 DU/20,000sf | 20,000 sf | 1 du./125 feet | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R1 Class I | 1 DU/30,000 sf | 30,000 sf | 1 du./150 ft | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R1 Class II | 1 DU/40,000sf | 40,000 sf | 1 du./150 ft | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| R5 | 1 DU/5 acres | 40,000 sf | 1 du./300 ft | 75 ft | 50 ft | 100 ft | 75 ft | 50 ft | 100 ft | 20% | 40 ft ridge 35 ft flat | 35 ft ridge 30 ft flat |
| R10 | 1 DU/10 acres | 40,000 sf | 1 du./300 ft | 75 ft | 50 ft | 100 ft | 75 ft | 50 ft | 100 ft | 20% | 40 ft ridge 35 ft flat | 35 ft ridge 30 ft flat |
| GD1 Class I | 1 DU/10,000 sf | 10,000 sf | 1 du./100 ft | 30 ft | 10 ft | 30 ft | 30 ft | 10 ft | 30 ft | 60% | 40 ft ridge 35 ft flat | 30 ft ridge 25 ft flat |
| GD1 Class II | 1 DU/20,000sf | 20,000 sf | 1 du./100 ft | 30 ft | 10 ft | 30 ft | 30 ft | 10 ft | 30 ft | 60% | 40 ft ridge 35 ft flat | 30 ft ridge 25 ft flat |
| GD2 Class I | (MU) 1 DU/ 4,356 sf | 20,000 sf | 1 du./100 ft | 30 ft | 15 ft | 30 ft | 45 ft | 15 ft | 30 ft | 70 % | 40 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |
| GD2 Class II | (MU) 1 DU/ 10,890 sf | 20,000 sf | 1 du./100 ft | 30 ft | 15 ft | 30 ft | 45 ft | 15 ft | 30 ft | 70 % | 40 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |
| GD4 | 1 DU/10,000sf | 10,000 sf | 1 du./100 ft | 30 | 15 ft | 25 ft | 45 ft | 15 ft | 30 ft | 60% | 20 ft eave 34 ft ridge 24 flat rooflines | 20 ft eave 34 ft ridge 24 flat rooflines |
| BD | | 10,000 sf | 100 ft | 25 ft. | 15 ft. | 25 ft. | 25 ft. | 15 ft. | 25 ft. | 80% | 0 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |
| COM | | 20,000 sf | 100 ft | 45 ft | 15 ft | 30 ft | 45 ft | 15 ft | 30 ft | Class I 70% Class II 60% | 40 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |
| IND | | 40,000 sf | 150 ft | 45 ft | 20 ft | 25 ft | 45 ft | 15 ft | 15 ft | 80% | 0 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |
| AGR | 1 DU/25 acres | 40,000 sf | 1 du./ 300 ft | 75 ft | 50 ft | 100 ft | 75 ft | 50 ft | 100 ft | 20% | 40 ft ridge 35 ft flat | 40 ft ridge 35 ft flat |

Table A-2:Dimensional Standards – Page 1

| District | Density | Min Lot Size | Frontage | Primary Front Yard Setback | Primary Side Yard Setback | Primary Rear Yard Setback | Acc. Front Yard Setback | Acc. Side Yard Setback | Acc. Rear Yard Setback | Total Lot Coverage Max | Total Building Coverage Max | Primary Building Height Max | Acc. Building Height Max |
|----------|--------------------|--------------|------------------|----------------------------|---------------------------|---------------------------|-------------------------|------------------------|------------------------|------------------------|-----------------------------|---|---------------------------|
| MHP | 1 DU/ 15,000sf | 15,000 sf | 1 du./ 100 ft | 15 ft | 10 ft | 10 ft | 15 ft | 10 ft | 10 ft | 820% | | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| FP | | 40,000 sf | 300 ft | 200 ft | 200 ft | 200 ft | 200 ft | 200 ft | 200 ft | 10% | | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| AMU | 1 DU/ 40,000sf | 40,000 sf | 150 ft | 30 ft | 15 ft | 25 ft | 30 ft | 10 ft | 10 ft | 30% | | 40 ft ridge 35 ft flat | 25 ft ridge 20 ft flat |
| LS1 | 1 DU/ 30,000 sf | 30,000 sf | 120 ft | 15 ft | 15ft | 15 ft | 15 ft | 15 ft | 15 ft | 40% | 40% | 40 ft ridge com. 35 ft flat com. 20 ft. ridge | 20 ft. |
| LS2 | 1 DU/ 10,000 sf | 10,000 sf | 100ft | 20 ft | 15 ft | 15 ft | 15 ft | 15 ft | 15 ft | 40% | 40% | 40 ft ridge com. 35 ft flat com. 20 ft. ridge res. 20 ft. ridge res. | 20 ft. |

Additional Considerations

(1) = In all districts, total front yard coverage shall not exceed 30%.

(2) = 45 foot front yard setback required for primary and accessory structures on highways (see Article 2.05 Setbacks & Buffers)

(3) = Minimum lot size and setbacks may be reduced when approved in accordance with Article Nine

(4) = In the Agricultural District, silos and grain elevators shall be excluded from height restrictions.

(5) = The height of buildings may be increased in accordance with Article Two Section Seven.

(6) = Multi-family = MU and Dwelling Unit = DU

(7) Please consult associated Article and Section in Development Regulations for additional considerations and requirements.

(8) In accordance with Section 2.06E herein accessory structure heights may be increased up to up to thirty (30) feet in height or the height of the primary structure whichever is less.

(9) The AMU District has a minimum .5 acre lot size and maximum 1 acre lot size for residential lots. Lot coverage in the AMU District may be increased in accordance with Section 6.04E.

(10) The dimensional standards for the GD3 District can be found in Section 4.03 of the Development Regulations.

(11) For lots accessed off a private drive or road, the front yard setback shall also apply to that section of the lot that fronts the private road or drive.

Class I = Municipal water and either municipal sewer or community septic

Class II = Individual on-site septic

APPENDIX C: PERFORMANCE STANDARDS

- A. Purpose. No use otherwise allowed, shall be permitted within any district, which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within said area:
- B. Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall proceed with, and be provided with, adequate safety devices against the hazards of fire and explosion, and such adequate fire-fighting and fire suppression equipment and devices as are standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of State or local laws and regulations shall also apply.
- C. Vibration. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instrument at or beyond the lot lines; nor shall any vibration produced exceed 0.002g peak at up to 60 cps. frequency, measured at or beyond the lot line using either seismic or electronic vibration measuring equipment. Vibrations occurring at higher than 50 cps. frequency or periodic vibrations shall not induce accelerations exceeding .001 g. Single impulse periodic vibrations occurring at an average interval greater than five (5) minutes shall not induce accelerations exceeding .01g.

D. Noise. No excessive, unnecessary, unreasonably loud noise or disturbance shall be made, cause to be made, or assisted in making that disturbs, or endangers the comfort, health, peace, or safety of others within the immediate vicinity of the noise or disturbance. The sound pressure level shall not exceed the following Sound level measurements shall be taken with a sound level meter meeting the minimum American Standards Institute (ANSI) requirements for Type I and II accuracy, and shall use the fast response setting. Noise measurements shall be made at the decibel levels at the property line. The noise measurements shall not exceed the following stated limits during the stated time periods for noise generated on properties within each land category:

| <u>Land Use Category</u> | <u>Time Period</u> | <u>One hour Average dBA</u> |
|---|---------------------------|---------------------------------|
| <u>Undeveloped tracts of land in all Zoning Districts</u> | <u>7:00 am to 9:00 pm</u> | <u>70</u> |
| <u>Undeveloped tracts of land in all Zoning</u> | <u>9:00 pm to 7:00 am</u> | <u>45</u> |

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| <u>Districts</u> | | |
| <u>Residences, motels, hotels, inns, public meeting rooms, municipal services, schools, religious institutions, churches, libraries, hospitals, picnic areas, parks, outdoor recreation areas, facilities, playgrounds, active sports areas, and parks, recreational amenities in all Zoning Districts</u> | <u>7:00 am to 9:00 pm</u> | <u>75</u> |
| <u>Residences, motels, hotels, inns, municipal services, schools, religious institutions, libraries, hospitals, parks, outdoor recreation facilities, playgrounds, active recreational amenities in all Zoning Districts</u> <u>Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, picnic areas, recreation areas, playgrounds, active sports areas, and parks in all Zoning Districts</u> | <u>9:00 pm to 7:00 am</u> | <u>45</u> |
| <u>Developed lands, properties, or activities not included in the above two categories in all Zoning Districts</u> | <u>7:00 am to 9:00 pm</u> | <u>75</u> |
| <u>Developed lands,</u> | <u>9:00 pm to 7:00 am</u> | <u>75</u> |

| | | |
|---|--|--|
| <u>properties, or activities not included in the above two categories in all Zoning Districts</u> | | |
|---|--|--|

D.

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| <u>Land Use Category</u> | <u>Decibel Level</u> |
|--|----------------------|
| 1. Undeveloped tracts of land in all Zoning Districts. | 60 dB(A) |
| 2. Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals picnic areas, recreation areas, playgrounds, active sports areas, and parks in all zoning districts. | 70 dB(A) |
| 3. Developed lands, properties, or activities not included in categories A and B above in all zoning districts. | 75 dB(A) |

C. Smoke. No emission shall be permitted at any point, from any chimney or otherwise, of visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringle-Mann Chart, published by McGraw-Hill Publishing Company, Inc. and copyright 1954 (being a direct facsimile reduction of the standard Ringle-Mann Chart as issued by the United States Bureau of Mines), except that visible gray smoke of a shade equal to No. 2 on said chart may be emitted for four (4) minutes in any 30 minutes. These provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an apparently equivalent opacity. Wood or coal burning for residential heating uses is accepted.

D. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detected when diluted in the ratio of one (1) volume of odorous air emitted to four (4) volumes of clean air. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, "Odor Thresholds". In Chapter 5, "Air Pollution Abatement Manuals", copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C.

E. Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution. No emission shall be permitted which can cause any damage to health to animals, vegetation or

APPENDIX E: DEVELOPMENT REGULATION AMENDMENTS

SUPPLEMENT #41

| PROPOSAL | PLANNING COMMISSION PUBLIC HEARING | WARNED FOR SELECT BOARD | ADOPTED | EFFECTIVE DATE |
|--|---|-------------------------------|---------|-------------------|
| <ol style="list-style-type: none"> 1. Amend Section 2.09(2) and (7) to allow larger accessory buildings administratively and clarify process. 2. Clarify Section 6.03F(1) that floodproofing is required only for substantial improvement, reconstruction, or enlargement. 3. Amend Section 7.03F(4) to add design certification for seawalls and similar structures. 4. Amend Section 8.03A to add accessory on-farm business 5. Clarify in Section 9.05D and Section 12.02 Building Envelopes that accessory buildings may be located outside the building envelopes. 6. Amend Sections 2.04, 2.04 and 9.07D(1) and (3) to include footprint lot references. 7. In Section 9.07D(5) clarify recreational amenities required for more than 5 units on lots greater than 3 acres. 8. Add Section 10.15 Change of Occupancy | | | | |

| | | | | |
|---|--|--|--|--|
| <p><i>and reference in Section 11.03A.</i></p> <p><i>9. Amend Section 12.02 to add definition of Accessory On-Farm Business and Footprint Lot.</i></p> <p><i>10. Amend Section 12.02 to separate out definitions of Accessory Building and Accessory Structure.</i></p> <p><i>11. Amend Section 12.02 Community Septic to remove requirement for separate lot.</i></p> <p><i>12. Amend Section 12.02 to include definition for Footprint Lot.</i></p> <p><i>13. Amend Section 12.02 Inn to clarify size of establishment subject to limitations on apartment type accommodations.</i></p> <p><i>14. Amend Section 12.02 Sivicultural Operations to define tree size and exclusions.</i></p> <p><i>15. Amend Table A-1 to remove mining and landfills (Sections 10.3 & 4) from FLP, ADD 10.5 Accessory on-farm business, and clarify that blank equals not allowed.</i></p> <p><i>16. Amend Table A-2 to increase maximum lot coverage in the Mobile Home Park District from 20% to 80%.</i></p> <p><i>17. Amend Appendix C to clarify noise limits.</i></p> | | | | |
|---|--|--|--|--|

APPENDIX F: ZONING MAP AMENDMENTSEFFECTIVE XXXX***06-007002 R3 to R2******06-006002 R3 to R2***EFFECTIVE April 19, 2017

Portions of Parcel ID #08-021003 AGR to R2

12-022000-0000000 AGR to R5

12-023000-0000000 AGR to R5

Portions of 06-005002-0000000 AGR to R2

EFFECTIVE August 31, 2016

06-021002-0000000 GD1 to Lakeshore 2

06-022002-0000000 GD1 to Lakeshore 2

06-023002-0000000 IND to Lakeshore 2 & IND

06-024002-0000000 GD1/R1 to GD1

60-038002-0000000 COM to Lakeshore 2

60-039002-0000000 COM to Lakeshore 2

60-040002-0000000 COM (Partial FP) to Lakeshore 1 (Partial FP)

62-001002-0000000 R1 to Lakeshore 2

62-002002-0000000 R1 to Lakeshore 2

62-003002-0000000 R1 to Lakeshore 2

62-004002-0000000 COM to Lakeshore 2

62-019002-0000000 R1 to Lakeshore 2

62-020002-0000000 R1 to Lakeshore 2

62-021002-0000000 R1 to Lakeshore 2

62-021012-0000000 COM to Lakeshore 2

62-022022-0000000 GD1 to Lakeshore 2

62-023002-0000000 COM to Lakeshore 2

62-024002-0000000 COM to Lakeshore 2

62-025002-0000000 GD1 to Lakeshore 2

62-025012-0000000 GD1 to Lakeshore 2

62-026002-0000000 GD1 to Lakeshore 2

62-028002-0000000 GD1 to Lakeshore 2

62-029002-0000000 COM (Partial FP) to Lakeshore 1 (Partial FP)

62-030002-0000000 COM (Partial FP) to Lakeshore 2 (Partial FP)

62-031002-0000000 GD1 (Partial FP) to Lakeshore 2 (Partial FP)

62-032002-0000000 COM (Partial FP) to Lakeshore 1 (Partial FP)

62-033002-0000000 R1 (Partial FP) to Lakeshore 1 (Partial FP)

62-034002-0000000 R1 (Partial FP) to Lakeshore 1 (Partial FP)

62-035002-0000000 R1 (Partial FP) to Lakeshore 1 (Partial FP)

62-036002-0000000 R1 (Partial FP) to Lakeshore 1 (Partial FP)

62-037002-0000000 R1 (Partial FP) to Lakeshore 1(Partial FP)

62-038002-0000000 R1 (Partial FP) to Lakeshore 1(Partial FP)

62-039002-0000000 R1 to Lakeshore 1